IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr.Misc. No.46784 of 2007
MANOJ YADAV @ MANOJ KR. YADAV
Versus
STATE OF BIHAR
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04. 02.05.2008 Heard learned counsel for the petitioner and learned counsel for the State.

Petitioner is an accused for offences punishable under sections 328 and 302/34 of the Indian Penal Code.

Learned counsel for the petitioner submits that the allegation is that petitioner had illicit relation with one Nutan Devi and step son of Nutan Devi had seen them in a compromising position, whereafter Nutan Devi threatened the deceased with dire consequences if he disclosed it to anyone but the deceased disclosed it to someone, whereafter Nutan Devi poisned him to death. Learned counsel for the petitioner further submits that the petition has been rejected by the learned court below only on the ground that there are some evidence with regard to illicit connection between Nutan Devi and the petitioner. Learned counsel for the petitioner also avers that the entire allegation against the petitioner is false and frivolous and he is in custody since 05.03.2005,although he has got no criminal antecedent.

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In the aforesaid facts and circumstances, this petition is allowed. Let petitioner, namely, Manoj Yadav @ Manoj Kumar Yadav be released on bail on furnishing bail bond of Rs.10,000/-(Ten thousand)with two sureties of the like amount to the satisfaction of Additional Sessions Judge, F.T.C.-V, Araria in Sessions Trial No. 576 of 2003 arising out of Narpatganj P.S. Case No. 157 of 2002.

harish **(S.N. Hussain, J.)**